

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

Dennis E. Hecker,

Debtor.

BKY No. 09-50779

Chapter 7

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**NOTICE OF HEARING AND MOTION FOR ORDER  
AUTHORIZING RULE 2004 EXAMINATIONS**

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TO: William R. Skolnick, Skolnick & Shiff, P.A., 2100 Rand Tower, 527 Marquette Avenue S., Minneapolis, MN 55402; Nita Singh Johnson, 793 Ferndale Road, Wayzata, MN 55391, Scott M. Hoffman, 1108 Nicollet Mall, Suite 210, Minneapolis, MN 55403 and Focus Rental, LLC, 500 Ford Road, Suite 400, Minneapolis, MN 55426.

1. Randall L. Seaver, the Chapter 7 Trustee of the above-captioned bankruptcy estate ("**Trustee**"), applies to the court for authorization to conduct a Bankruptcy Rule 2004 examination. The examinations for which authorization is sought is that of William R. Skolnick, Skolnick and Shiff, P.A., Nita Singh Johnson, Scott M. Hoffman and Focus Rental, LLC.

2. The Court will hold a hearing on this motion at 2:30 p.m. on April 21, 2010, in Courtroom 8 West, U.S. Bankruptcy Court, 300 South Fourth Street, Minneapolis, MN 55415.

3. Any response to this motion must be filed and served by delivery not later than April 16, 2010 which is five days before the time set for the hearing (including Saturdays, Sundays and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This case was commenced by the filing of a voluntary petition under Chapter 7 on June 4, 2009. The case is currently pending in this Court. This Court has jurisdiction over this application pursuant to 28 U.S.C. §157 and 1334, Bankruptcy Rule 5005 and Local Rule 1070-1.

This proceeding is a core proceeding. This Application arises under Bankruptcy Rule 2004. This Application is filed under Local Rule 2004-1(a).

5. Debtor has utilized trust or operating accounts of Skolnick & Shiff, P.A. to pay settlements related to this case and support payments to Tamitha Hecker. The Trustee has made a request to obtain records related thereto from Skolnick & Shiff, P.A. The request was partially honored on March 12, 2010.

6. The Trustee needs to obtain information from Mr. Skolnick and Skolnick & Shiff, P.A. so that he can investigate the assets of this bankruptcy estate and administer the estate.

7. Upon information and belief, Debtor has received money since the commencement of this case from Nita Singh Johnson, a person with respect to whom Debtor maintained substantial communication in the months leading to his bankruptcy filing. Ms. Singh Johnson may have information relating to the Debtor's financial affairs.

8. Scott M. Hoffman possesses knowledge and information relating to Debtor's children's trust and the use by Bill Prohofsky and Dennis Hecker of assets of those trusts since the commencement of this case.

9. Focus Rental, LLC is believed to, on paper, have borrowed money from the Hecker children's and grandchildren's irrevocable trusts. It is further believe that the entity operates out of Debtor's offices at 500 Ford Road, is associated with James Gustafson and was formed after the commencement of this bankruptcy case.

10. The Trustee gives notice that he may testify at the hearing of this matter.

WHEREFORE, the Trustee requests that the Court enter an order approving the Trustee's examination, pursuant to Bankruptcy Rule 2004, of William R. Skolnick, Skolnick and Shiff, P.A., Nita Singh Johnson, Scott M. Hoffman and Focus Rental, LLC.

**LEONARD, O'BRIEN,  
SPENCER, GALE & SAYRE LTD.**

Dated: March 29, 2010

/e/ Matthew R. Burton  
By: \_\_\_\_\_  
Matthew R. Burton, #210018  
Attorneys for Trustee  
100 South Fifth Street, Suite 2500  
Minneapolis, MN 55402  
(612) 332-1030

**VERIFICATION**

I, Randall L. Seaver, Chapter 7 Trustee in the above-captioned matter state under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on March 29, 2010

/e/ Randall L. Seaver

\_\_\_\_\_  
Randall L. Seaver, Trustee

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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In re:

BKY No. 09-50779

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**UNSWORN CERTIFICATE OF SERVICE**

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I hereby certify that on March 29, 2010, I caused the following documents:

***Notice of Hearing and Motion for Order Authorization Rule 2004 Examinations  
and Order (proposed)***

to be filed electronically with the Clerk of Court through ECF, and that the above documents will be delivered by automatic e-mail notification pursuant to ECF and this constitutes service or notice pursuant to Local Rule 9006-1(a).

I further certify that I caused a copy of the foregoing documents to be mailed by first-class mail, postage paid, to the following:

Dennis E. Hecker  
1615 Northridge Drive  
Medina, MN 55391

William R. Skolnick  
Skolnick & Schiff, P.A.  
2100 Rand Tower  
527 Marquette Avenue S.  
Minneapolis, MN 55402

Nita Singh Johnson  
793 Ferndale Road  
Wayzata, MN 55391

Scott M. Hoffman  
1108 Nicollet Mall  
Suite 210  
Minneapolis, MN 55403

Focus Rental, LLC  
500 Ford Road  
Suite 400  
Minneapolis, MN 55426

Dated: March 29, 2010

/e/ Stephanie Wood

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Stephanie Wood  
100 South Fifth Street, Suite 2500  
Minneapolis, MN 55402  
(612) 332-1030

419240

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

BKY No. 09-50779  
Chapter 7

Dennis E. Hecker,

Debtor.

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**ORDER FOR RULE 2004 EXAMINATIONS**

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This case is before the court on the motion of Randall L. Seaver, the trustee seeking authorization to conduct the examinations of William R. Skolnick, Skolnick and Shiff, P.A., Nita Singh Johnson, Scott M. Hoffman and Focus Rental, LLC pursuant to Bankruptcy Rule 2004(a) and Local Rule 2004-1(a).

It is ordered:

The trustee's application for authorization to conduct 2004 examinations is granted.